



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/770,702	01/26/2001	Donald R. Turnbull	12260-06/JWE	6805

7590 05/06/2005

STRADLING YOCCA CARLSON & RAUTH
IP Department
P.O. Box 7680
Newport Beach, CA 92660-6441

EXAMINER

CHEN, CHONGSHAN

ART UNIT	PAPER NUMBER
----------	--------------

2162

DATE MAILED: 05/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/770,702

Applicant(s)

TURNBULL ET AL.

Examiner

Chongshan Chen

Art Unit

2162

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 March 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is responsive to election filed on 1 March 2005. Claims 1-31 are pending in this Office Action; claims 32-50 are canceled.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-31 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

4. Claim 1 recites the limitation "the interface" in line 4. It is unclear whether "the interface" is the relevance interface or the network interface. Appropriate corrections are required for other similar informalities.

5. Claim 1 recites the limitation "the space" in line 5. There is insufficient antecedent basis for this limitation in the claim. Appropriate corrections are required for other similar informalities.

6. Claim 1 recites the limitation "the collection" in lines 5-6. There is insufficient antecedent basis for this limitation in the claim. Appropriate corrections are required for other similar informalities.

7. Claim 1 recites the limitation "the keyword query" in lines 9-10. There is insufficient antecedent basis for this limitation in the claim. Appropriate corrections are required for other similar informalities.

Art Unit: 2162

8. Claim 1 recites the limitation "said context derived organization" in line 15. There is insufficient antecedent basis for this limitation in the claim.

9. Claim 1 recites the limitation "organizing retrieved objects in accordance with a context derived from the relevance interface". It is unclear what is the "context derived from the relevance interface" and how to organize the retrieved objects in accordance with a context derived from the relevance interface.

10. Claim 8 recites the limitation "the context indicia" in the line 12 of the claim. There is insufficient antecedent basis for this limitation in the claim.

11. Claim 8 recites the limitation "the relevance interface organizes said retrieved objects in accordance with a second context derived from the collection of content pointers". It is unclear what is the "second context derived from the collection of content pointers" and how the relevance interface organizes said retrieved objects in accordance with a second context derived from the collection of content pointers.

Claim Rejections - 35 USC § 103

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any

Art Unit: 2162

evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

14. Claims 1-4 and 8-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dharap (US 6,256,633) in view of www.yahoo.com (hereinafter "Yahoo").

As per claim 1, Dharap teaches a method for interacting with an information repository, the repository characterized as an object space, a user accessing said object space through a network interface, the method comprising the steps of:

generating at least one subject keyword (Dharap, col. 3, lines 46-49);

searching the object space with said network interface, in accordance with the keyword query (Dharap, col. 4, lines 62-66);

retrieving objects from the object space, each retrieved object associated with the query keyword (Dharap, col. 4, lines 62-66).

Dharap does not explicitly disclose establishing a relevance interface, the interface adaptively defining a collection of content pointers, each content pointer corresponding to an object within the space, the collection organized as a grouping of sets of indicia, the relevance interface overlaying and cooperating with said network interface; organizing retrieved objects in accordance with a context derived from the relevance interface, retrieved objects displayed to a user over the network interface in a ranking order corresponding to said context derived organization. Yahoo discloses establishing a relevance interface, the interface adaptively defining a collection of content pointers, each content pointer corresponding to an object within

Art Unit: 2162

the space, the collection organized as a grouping of sets of indicia, the relevance interface overlaying and cooperating with said network interface; organizing retrieved objects in accordance with a context derived from the relevance interface, retrieved objects displayed to a user over the network interface in a ranking order corresponding to said context derived organization (www.yahoo.com). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the search system of Dharap by incorporating a relevance interface as disclosed by Yahoo. The motivation being to provide a relevance interface to assist the user to find desired data.

As per claim 2, Dharap and Yahoo teach all the claimed subject matters as discussed in claim 1, and further teach interacting with at least one of the retrieved objects; maintaining an historical record of object interaction by a user; enabling storage or selection of preferred objects by a user; and wherein the context is derived from the historical record (Dharap, col. 3, line 17 – col. 4, line 67).

As per claim 3, Dharap and Yahoo teach all the claimed subject matters as discussed in claim 2, and further teach the network interface comprises a network browser application configured to display content defining an information object, the relevance interface automatically generating the at least one subject keyword from a context derived from content of a displayed information object (Dharap, col. 3, line 17 – col. 4, line 67).

As per claim 4, Dharap and Yahoo teach all the claimed subject matters as discussed in claim 2, and further teach the network interface comprising a network browser application configured to display content defining an information object, wherein maintaining an historical record further comprises analyzing user behavior with respect to displayed information object

Art Unit: 2162

and, wherein the context is derived from said user behavior (Dharap, col. 2, line 15 – col. 4, line 67).

As per claim 8, Dharap teaches a method for interacting with an information repository, the repository characterized as an object space, a user accessing said object space through a network interface, the method comprising the steps of:

establishing a relevance interface, the interface adaptively defining a collection of content pointers, each content pointer corresponding to an object within the space, the collection organized as a grouping of sets of indicia, the relevance interface overlaying and cooperating with said network interface;

accessing a particular object within the object space with said network interface (Dharap, col. 2, line 15 – col. 4, line 67);

requesting a relevance search (Dharap, col. 2, line 15 – col. 4, line 67);

wherein the interface evaluates a first context indicia of the particular object accessed and automatically retrieves an additional set of objects from the object space, each retrieved object associated with the context indicia (Dharap, col. 2, line 15 – col. 4, line 67); and

wherein the interface organizes said retrieved objects in accordance with a second context derived from the collection of content pointers (Dharap, col. 2, line 15 – col. 4, line 67).

Dharap teaches an interface that allows the user to interact with the search system, but Dharap does not explicitly disclose a relevance interface, the interface adaptively defining a collection of content pointers, each content pointer corresponding to an object within the space, the collection organized as a grouping of sets of indicia, the relevance interface overlaying and cooperating with said network interface. Yahoo teaches a relevance interface, the interface

Art Unit: 2162

adaptively defining a collection of content pointers, each content pointer corresponding to an object within the space, the collection organized as a grouping of sets of indicia, the relevance interface overlaying and cooperating with said network interface, wherein the relevance interface organizes said retrieved objects in accordance with a second context derived from the collection of content pointers (www.yahoo.com). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the search system of Dharap by incorporating a relevance interface as disclosed by Yahoo. The motivation being to provide a relevance interface to assist the user to find desired data.

As per claim 9, Dharap and Yahoo teach all the claimed subject matters as discussed in claim 8, and further teach the object space is a wide area network and wherein the particular object accessed is characterized as a domain within said network (Dharap, col. 2, line 15 – col. 4, line 67).

As per claim 10, Dharap and Yahoo teach all the claimed subject matters as discussed in claim 9, and further teach the network domain comprises an organized collection of content objects, the additional set of objects automatically retrieved by the interface corresponding to content objects associated with the context indicia (Dharap, col. 2, line 15 – col. 4, line 67).

As per claim 11, Dharap and Yahoo teach all the claimed subject matters as discussed in claim 10, and further teach browsing the wide area network with the browser application program; and entering a network domain (Dharap, col. 2, line 15 – col. 4, line 67, and www.yahoo.com).

As per claim 12, Dharap and Yahoo teach all the claimed subject matters as discussed in claim 11, and further teach reading content from the entered network domain; and ordering the

Art Unit: 2162

read content so as to establish a keyword context collection, the collection defining the first content indicia (Dharap, col. 2, line 15 – col. 4, line 67).

As per claim 13, Dharap and Yahoo teach all the claimed subject matters as discussed in claim 12, and further teach searching the indicia groupings of the collection of content pointers; comparing each grouping indicia to the keyword context collection; assigning an index to each grouping indicia that matches a keyword context from the collection; and accessing individual ones of pages of the network domain in accordance with said assigned index, the accessed pages having content corresponding to a keyword context matching a grouping indicia of the collection of content pointers (Dharap, col. 2, line 15 – col. 4, line 67, www.yahoo.com).

As per claim 14, Dharap and Yahoo teach all the claimed subject matters as discussed in claim 13, and further teach the requesting step is performed by a user making a single functional action (Dharap, col. 2, line 15 – col. 4, line 67).

As per claim 15, Dharap and Yahoo teach all the claimed subject matters as discussed in claim 14, and further teach the network domain comprises an electronic commerce site, the site further including a plurality of content pages organized in accordance with a product hierarchy and, wherein the collection of content pointers comprises a hierarchical organization of user defined recommended content sites, the relevance interface extracting particular ones of content pages from an accessed domain in accordance with a relevance model based upon a user's hierarchical organization of recommended content sites (Dharap, col. 2, line 15 – col. 4, line 67, www.yahoo.com).

Art Unit: 2162

As per claim 16, Dharap and Yahoo teach all the claimed subject matters as discussed in claim 15, and further teach displaying only those content pages which are extracted in accordance with the relevance model (Dharap, col. 2, line 15 – col. 4, line 67).

As per claim 17, Dharap discloses a method for interacting with an information repository, the repository characterized as an object space, a user accessing said object space through a network interface, the method comprising the steps of:

browsing through a plurality of objects within the object space (Dharap, col. 4, lines 1-67, searching);

accessing particular ones of said objects (Dharap, col. 4, lines 1-67); and

assigning each such accessed object to a position within the context relevant hierarchy (Dharap, col. 4, lines 15-32, rank).

Dharap teaches an interface that allows the user to interact with the search system, but Dharap does not explicitly disclose establishing a relevance interface, the interface adaptively defining a collection of content pointers, each content pointer corresponding to an object within the space, the collection organized as a context relevant hierarchy, the relevance interface overlaying and cooperating with said network interface. Yahoo teaches a relevance interface, the interface adaptively defining a collection of content pointers, each content pointer corresponding to an object within the space, the collection organized as a context relevant hierarchy, the relevance interface overlaying and cooperating with said network interface (www.yahoo.com).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the search system of Dharap by incorporating a relevance interface as

Art Unit: 2162

disclosed by Yahoo. The motivation being to provide a relevance interface to assist the user to find desired data.

As per claim 18, Dharap and Yahoo teach all the claimed subject matters as discussed in claim 17, and further teach evaluating a context indicia of each object accessed; and wherein the relevance interface displays the context relevant hierarchy to a user in accordance with a ranking order determined by a user profile (Dharap, col. 4, lines 15-32).

As per claim 19, Dharap and Yahoo teach all the claimed subject matters as discussed in claim 18, and further teach the user profile comprises a relevance model, the relevance model adaptively redefining the context relevant hierarchy in accordance with objects accessed by a user (Dharap, col. 4, lines 23-67, dynamic profile).

As per claim 20, Dharap and Yahoo teach all the claimed subject matters as discussed in claim 19, and further teach the information repository comprises a plurality of network domains, each including a plurality of content pages organized in accordance with a product hierarchy and, wherein the collection of content pointers comprises a hierarchical organization of user defined recommended content sites, the relevance interface assigning particular ones of content pages from an accessed domain to the collection of content pointers in accordance with a user's hierarchical organization of recommended content sites (Dharap, col. 4, lines 1-67, www.yahoo.com).

As per claim 21, Dharap and Yahoo teach all the claimed subject matters as discussed in claim 20, and further teach the relevance model adaptively redefining the context relevant hierarchy in accordance with a user's browsing interaction metric (Dharap, col. 4, lines 1-67, dynamic profile).

Art Unit: 2162

15. Claims 5-7 and 22-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dharap (US 6,256,633) in view of www.yahoo.com (hereinafter "Yahoo") and further in view of Shoham (US 5,855,015).

As per claim 5, Dharap and Yahoo teach all the claimed subject matters as discussed in claim 4, except for explicitly disclosing the user behavior is selected from the group consisting of a user dwell time at a particular information object, a number of repeat visits to a particular information object, and a number of purchases made from a particular Web site. Shoham teaches the user behavior is selected from the group consisting of a user dwell time at a particular information object, a number of repeat visits to a particular information object, and a number of purchases made from a particular Web site (Shoham, col. 9, lines 1-8). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Dharap and Yahoo's combined system by incorporating the user behavior as disclosed by Shoham. The motivation being to reflect where the user's interest is and help the user to find his/her desired information.

As per claim 6, Dharap, Yahoo and Shoham teach all the claimed subject matters as discussed in claim 5, and further teach establishing a catalog of relevant information object collections; automatically populating the catalog with relevant information object collections; and wherein the catalog being established and populated by the relevance interface in accordance with said user behavior (Dharap, col. 2, line 15 – col. 4, line 67).

As per claim 7, Dharap, Yahoo and Shoham teach all the claimed subject matters as discussed in claim 6, and further teach the catalog comprises a listing of object space domains (Dharap, col. 2, line 15 – col. 4, line 67).

Art Unit: 2162

Claim 22 is rejected on grounds corresponding to the reasons given above for claim 5.

As per claim 23, Dharap discloses a method for interacting with an information repository, the repository characterized as an object space, a user accessing said object space through a network interface, the method comprising the steps of:

defining a context relevant organization, the context relevant organization structured to contain a set of objects, the objects categorized in accordance with a user defined relevance metric (Dharap, col. 3, lines 62-67, user interested categories);

browsing through a plurality of objects within the object space (Dharap, col. 4, lines 1-67, search);

evaluating a context indicia of each object accessed (Dharap, col. 4, lines 1-67, search);

assigning each such accessed object to a position within the context relevant organization (Dharap, col. 4, lines 15-32, ranking).

Dharap does not explicitly disclose establishing a relevance interface, the interface adaptively defining a collection of content pointers, each content pointer corresponding to an object within the space, the relevance interface overlaying and cooperating with said network interface. Yahoo teaches a relevance interface, the interface adaptively defining a collection of content pointers, each content pointer corresponding to an object within the space, the relevance interface overlaying and cooperating with said network interface (www.yahoo.com). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the search system of Dharap by incorporating a relevance interface as disclosed by Yahoo. The motivation being to provide a relevance interface to assist the user to find desired data.

Neither Dharap nor Yahoo discloses wherein the relevance interface adaptively rearranges the position of accessed objects in the context relevant organization in accordance with a user's browsing interaction behavior metric. Shoham discloses adaptively rearranging the position of accessed objects in the context relevant organization in accordance with a user's browsing interaction behavior metric (Shoham, col. 4, lines 1-32, col. 9, lines 1-10, col. 11, line 20 – col. 12, line 67, the accessed object will be re-ranked because the weight of the object will be increased or decreased depending on the user's feedback/browsing behavior). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Dharap and Yahoo's combined system by incorporating the mean of adaptively rearranging objects as disclosed by Shoham. The motivation being to rearrange the objects according to the user's feedback. This will move the user's most interested object to the top.

As per claim 24, Dharap, Yahoo and Shoham teach all the claimed subject matters as discussed in claim 23, and further teach the collection of content pointers is adaptively defined in accordance with the context relevant organization (Dharap, col. 3, line 25 – col. 4, line 67, www.yahoo.com).

Claim 25 is rejected on grounds corresponding to the reasons given above for claim 15.

Claims 26-31 are rejected on grounds corresponding to the reasons given above for claims 1-6.

Art Unit: 2162

Contact Information

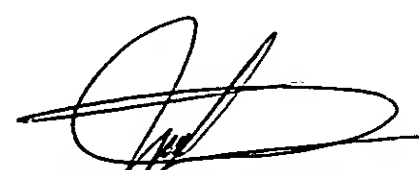
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chongshan Chen whose telephone number is (571) 272-4031.

The examiner can normally be reached on Monday - Friday (8:00 am - 4:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Chongshan Chen
April 29, 2005


JEAN M. CORRIELUS
PRIMARY EXAMINER